

Motion granted.

E. Clifton Knowles

U.S. Magistrate Judge

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**Plaintiff,**

**V.**

**ERIC SHINSEKI,**  
**Secretary, Department of Veterans**  
**Affairs,**

**Defendant.**

**Civil No.: 3:12-cv-0785**

## JUDGE NIXON

**MAGISTRATE JUDGE KNOWLES**

## JOINT MOTION TO CONTINUE DISCOVERY

COMES NOW, the Plaintiff, Yemane Hadgu, and Defendant, Eric K. Shinseki, Secretary, Department of Veterans Affairs, by and through their undersigned counsel, and hereby jointly move to continue the discovery cut-off date for sixty (60) days only for the purpose of witness deposition by Plaintiff and Defendant.

The parties have been working together to accomplish discovery in this case. However, various factors have significantly impeded their ability to accomplish all of the discovery that needs to be accomplished. Plaintiff has provided Defendant a list of individuals for scheduling of depositions; however, additional time is necessary due to the out of state locations of several of those individuals. Despite the parties' cooperation and best efforts, a continuance is needed in order to accomplish that. Therefore, the parties ask the Court to amend the Case Management order as follows:

- A. Extend discovery deadline from March 3, 2014 to May 2, 2014;
- B. Discovery motions are extended from March 13, 2014 to May 12, 2014;
- C. Extend joint mediation report from March 18, 2013 to May 19, 2014;

- D. Extend dispositive motions deadline from April 17, 2014 to June 16, 2014;
- E. Responses to dispositive motions shall be filed within twenty-one (21) days after the filing of the motion. Briefs shall not exceed twenty (20) pages; and
- F. Optional replies may be filed within fourteen (14) days after the filing of the response and shall not exceed five (5) pages.

The parties submit that continuing the discovery and dispositive motion deadlines will not affect the trial date and related trial deadlines. Therefore, the parties respectfully request the Court to extend the discovery and dispositive motion deadlines as set forth above.

Respectfully submitted,

BY: s/Joseph D. Magri  
JOSEPH D. MAGRI  
B.P.R. #0814490  
Merkle, Magri & Meythaler, P.A.  
5601 Mariner Street  
Suite 400  
Tampa, FL 33609  
Telephone: (813) 281-9000  
*Attorney for Plaintiff*

DAVID RIVERA  
United States Attorney  
Middle District of Tennessee

BY: s/Mercedes C. Maynor-Faulcon  
MERCEDES C. MAYNOR-FAULCON  
Assistant United States Attorney  
110 9<sup>th</sup> Avenue South, Suite A-961  
Nashville, TN 37203-3870  
Telephone Number: (615) 736-5151  
B.P.R. # 013330